

OCT 29 2007

# **NOTICE OF APPEAL FROM THE PRIMARY EXAMINER TO THE BOARD OF PATENT APPEALS AND INTERFERENCES (Small Entity)**

Docket No.  
01-471

In Re Application Of: Ray Whitney

| Application No. | Filing Date | Examiner       | Customer No. | Group Art Unit | Confirmation No. |
|-----------------|-------------|----------------|--------------|----------------|------------------|
| 09/921375       | 08/02/2001  | My Xuan Nguyen | 33055        | 2642           | 3959             |

Invention: Digital, Wireless PC/PCS Modem

## COMMISSIONER FOR PATENTS:

Applicant(s) hereby appeal(s) to the Board of Patent Appeals and Interferences from the decision of the Primary Examiner dated 12/23/2005 finally rejecting Claim(s) 1-14

Applicant is a small entity under 37 CFR 1.9 and 1.27.

☒ Applicant claims small entity status. See 37 CFR 1.27

The fee for this Notice of Appeal is: \$250.00

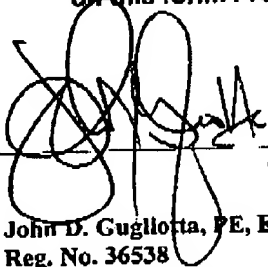
☒ A check in the amount of the fee is enclosed.

☐ The Director has already been authorized to charge fees in this application to a Deposit Account.

☒ The Director is hereby authorized to charge any fees which may be required, or credit any overpayment to Deposit Account No. 07-2380

☐ Payment by credit card. Form PTO-2038 is attached.

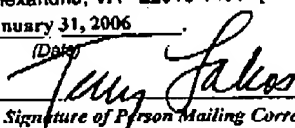
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Signature

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Dated: January 31, 2006

cc:

|  |        |
|--|--------|
| I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to the "Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450" [37 CFR 1.8(a)] on |        |
| January 31, 2006   | (Date) |
|   |        |
| Signature of Person Mailing Correspondence   |        |
| Terry Lakos  |        |
| Typed or Printed Name of Person Mailing Correspondence   |        |

**PATENT, COPYRIGHT & TRADEMARK  
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**MEMO** Notice of Appeal-09/021375 - Whitney

**Signature:** [Handwritten Signature]

**Black Redaction Box:** [Redacted]